

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 13

STATE HISTORIC PRESERVATION DIVISION RULES

CHAPTER 281

RULES GOVERNING PROFESSIONAL QUALIFICATIONS

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§13-281-1 Purpose. The purpose of this chapter is to establish professional qualifications for archaeologists, architects, architectural historians, ethnographers, historians, and physical anthropologists who undertake projects which must be reviewed by the state historic preservation division. [Eff: _____] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-2 Definitions. As used in this chapter unless the context requires otherwise:

"Authorized review archaeologist" means an archaeologist who meets the qualifications enumerated in this chapter, and is hired by a person to personally review archaeological reports and plans prepared for the person by another archaeologist.

"Historic preservation review process" means the process specified in chapters 13-275 and 13-284, used to comply with sections 6E-7, 6E-8 and 6E-42, HRS.

"Person" means any individual, firm, association, agency, organization, partnership, estate, trust, corporation, company, or governmental unit that is proposing a project.

"Project" means any activity directly undertaken by the State or its political subdivisions or supported in whole or in part through appropriations, contracts, grants, subsidies, loans, or other forms of funding assistance from the State or its political subdivisions or involving any lease, permit, license, certificate, land use change, or other entitlement for use issued by the State or its political subdivisions.

"State historic preservation division" or "SHPD" means the state historic preservation division within the state department of land and natural resources. [Eff: _____] (Auth: HRS §§ 6E-2, 6E-3, 6E-7, 6E-8, 6E-42)(Imp: HRS §§ 6E-1, 6E-3, 6E-7, 6E-8, 6E-42)

§13-281-3 Archaeology. (a) An archaeologist serving as principal investigator for any archaeological project shall possess the following professional qualifications:

- (1) A graduate degree in anthropology, with a specialization in archaeology;
- (2) At least two years of archaeological experience in Hawaii (which can be made up of discontinuous periods of full-time or

- part-time field work adding up to one year) or have participated fully in ten archaeological field projects; and
- (3) A demonstrated ability to carry research to completion, usually shown by completed theses, publications, and manuscripts.
- (b) An archaeologist serving as a field director for any archaeological project shall possess the following professional qualifications:
- (1) A bachelor's degree, and ideally a graduate degree, in anthropology, with a specialization in archaeology;
 - (2) At least two years of archaeological experience in Hawaii (which can be made up of discontinuous periods of full-time or part-time field work adding up to one year) or have participated fully in ten archaeological field projects; and
 - (3) A demonstrated ability to carry research to completion, usually shown by completed theses, publications, and manuscripts.
- (c) Field directors without a graduate degree in anthropology with a specialization in archaeology shall be overseen by a qualified principal investigator.
- (d) Authorized review archaeologists shall possess the following qualifications:
- (1) Ph.D. in anthropology with a specialization in archaeology and at least five years of archaeological experience in Hawaii as a principle investigator; or
 - (2) A graduate degree and at least three years experience reviewing archaeological reports for SHPD within the past ten years. [Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E42)

§13-281-4 Architecture. An architect shall possess one or both of the following professional qualifications:

- (1) A State license to practice architecture; and
- (2) A professional degree in architecture and at least two years of full-time professional experience. [Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-5 Architectural history. An architectural historian shall possess one or both of the following professional qualifications:

- (1) A graduate degree in architectural history, art history, historic preservation, or a closely related field with coursework in American architectural history.
 - (2) A bachelor's degree in architectural history, art history, historic preservation, or a closely related field plus one of the following:
 - (A) At least two years of full-time research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution.
 - (B) Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.
- [Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-6 Ethnography. An ethnographer shall possess the following professional qualifications:

- (1) A graduate degree in anthropology, with a specialization in cultural or social anthropology, or in a closely related field;
- (2) A bachelor's degree in cultural or social anthropology, or in a closely related field, plus one of the following:
 - (A) Two or more years of full-time experience in research, writing, teaching, interpretation or other demonstrable professional activity with an academic institution, historic organization or agency, historic preservation consulting firm, or other professional institution;
 - (B) Substantial contribution through research and publication to the body of scholarly knowledge in cultural or social anthropology, ethnohistory or related fields; or
- (3) Four or more years of full-time experience conducting research on or practicing the culture and history of ethnic groups in the State of Hawaii, and
- (4) In addition to meeting the qualifications of (1), (2) or (3), the person shall meet three or more of the following requirements:
 - (A) Be conversant in the language of the applicable ethnic group addressed by the ethnographic study;

- (B) Have a demonstrated familiarity with the traditions, customs, practices and beliefs of the applicable ethnic group addressed by the ethnographic study;
- (C) Have a demonstrated ability to conduct and document interviews for ethnographic or historical purposes and to summarize information gained from interviews;
- (D) Contributed through teaching, presentations, research or publication to the body of knowledge in cultural or social anthropology, ethnohistory, or related fields;
- (E) Have a working knowledge of the historic preservation review process. [Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-7 History. An historian shall possess one or both of the following professional qualifications:

- (1) A graduate degree in history or a closely related field.
- (2) A bachelor's degree in history or a closely related field, plus at least one of the following:
 - (A) Two or more years of full-time experience in research, writing, teaching, interpretation or other demonstrable professional activity with an academic institution, historic organization or agency, museum, historic preservation consulting firm, or other profession institution,
 - (B) Substantial contribution through research and publication to the body of scholarly knowledge in the field of history. [Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-8 Physical anthropology. A physical anthropologist shall possess the following professional qualifications:

- (1) A graduate degree in anthropology or anatomy with a specialization in physical anthropology and human osteology or forensic anthropology.
- (2) Demonstrated ability to carry research to completion, usually shown by completed theses, publications, and manuscripts.

[Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42, 6E-43)(Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42, 6E-43)

§13-281-9 Advice available from state historic preservation division.

The state historic preservation division, upon request, shall advise agencies or persons whether an individual meets the minimal professional qualifications. The state historic preservation division shall maintain a list of archaeologists who are known by the SHPD to meet these minimal professional standards. Copies of this list shall be available upon request.

[Eff:] (Auth: HRS §§6E-1, 6E-3, 6E-7, 6E-8, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-42)

§13-281-10 Penalty. Should any archaeological, historical, ethnographic, architectural, architectural historical, or physical anthropological (osteological) work be conducted as part of the historic preservation review process (chapters 13-275, 13-284) or under an archaeological permit (chapter 13-282) with a principal investigator or field director who fails to meet minimal professional standards, that work shall be automatically rejected, the SHPD's written concurrence for the relevant step in the historic preservation process shall be denied, and any archaeological permit shall be revoked or denied, and the penalties of chapters 13-275 and 13-282 and section 6E-11, HRS, shall be applied as appropriate. [Eff:] (Auth: HRS §§6E-3, 6E-7, 6E-8, 6E-11, 6E-42) (Imp: HRS §§6E-3, 6E-7, 6E-8, 6E-11, 6E-42).